

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement
(916) 322-5662 322-5660 322-5901 322-6441

May 24, 1984

Alice M. Reimche
Lodi City Clerk
P.O. Box 320
Lodi, CA 95241

Re: Your Request for Advice, Our
Advice No. A-84-106

Dear Ms. Reimche:

We are in receipt of your letter requesting our opinion on whether Mr. Bleier's campaign mailing complies "with regulations pertaining to such mailings." You have enclosed a copy of the mailing for our review.

First, let me point out that the Commission does not advise whether or not past actions constitute a violation of the Political Reform Act.^{1/} If you or any citizen of Lodi believes that a violation has occurred, a complaint may be directed to our Enforcement Division or to the San Joaquin County District Attorney.

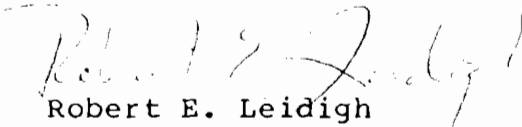
Second, the Political Reform Act does not regulate the contents of campaign mailings except with respect to "mass mailings" which are required to disclose the name and address of the "sender" on both the outside of the envelope and on at least one of the inserts. (Sections 82041.5, 84305 and Regulation 2 Cal. Adm. Code Section 18435, copies enclosed.) Beyond this requirement that the "sender" be identified, the Political Reform Act only requires reporting of campaign expenditures for mailing out campaign literature and does not regulate its substantive content.

^{1/} Government Code Sections 81000-91014. All statutory references made are to the Government Code unless otherwise noted.

Alice M. Reimche
May 24, 1984
Page Two

I hope this information assists you in responding to questions by the citizens of Lodi. If you have questions regarding this letter, I may be reached at 916/322-5901.

Sincerely,


Robert E. Leidigh
Counsel, Legal Division

REL:km

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

APR 30 8 49 AM '84

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

April 24, 1984

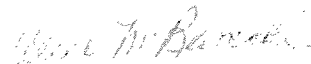
Fair Political Practices Commission
P. O. Box 807
Sacramento, CA
Attn: Jean Pritchard

Dear Jean:

Enclosed herewith please find campaign flyer that was sent out by Brent Bleier during the last few days prior to the April 10, 1984 election. We would ask that you would review this mailing and provide us with a written ruling if it does or does not comply with regulations pertaining to such mailings.

This office has received numerous phone calls concerning this mailing whereby citizens are expressing their concern with the legitimacy of this type of mailing.

Very truly yours,

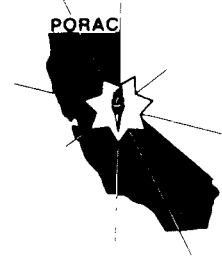

Alice M. Reinche
City Clerk

AMR:jj



Police Officers Association of Lodi

115 West Walnut Street, Suite 504
Lodi, California 95240
(209) 368-0616
"Semper Fidelis"



Dear Friends,

As your city's police officers, we have a strong interest in the long-term health of our community. We see firsthand the effects of City Council policy and decisions.

We believe the current City Council race presents an important opportunity for the future of our Council.

We have interviewed all of the candidates who would agree to meet with us. We listened, we asked questions, and we compared. Subsequently, we voted overwhelmingly to support Brent Bleier for Lodi City Council. His experience, qualifications, and ideas are exactly what our community needs-- and we need it now.

We strongly urge you to join with us in voting for Brent on April 10th.

Sincerely,

A handwritten signature in black ink, which appears to read "Dan M. Randolph".

DANIEL M. RANDOLPH
President

BRENT BLEIER
1764 LeBec Court
Lodi, California 95240

Bulk Rate
U.S. Postage
PAID
Permit #91
Lodi, CA

Mrs. Alice Reimche
1414 W. Arlington
Lodi, CA 95240

BRENT BLEIER

1764 LeBec Court
Lodi, California 95240

Dear Fellow Lodians:

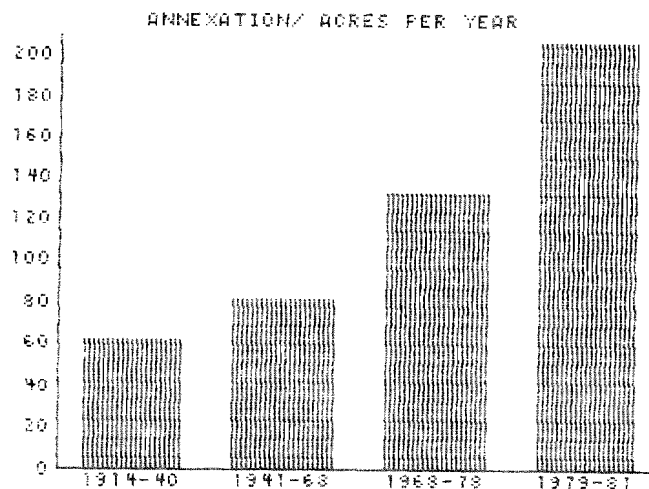
In the course of this campaign, I have become convinced that the present incumbents on the City Council are enacting and supporting policies which are CHANGING THE FACE OF LODI — probably without even knowing that they are doing so!

For example, at a recent candidate's forum, Mr. Pinkerton said he OPPOSED THE GREEN BELT INITIATIVE because:

"(The rate of growth of) the City of Lodi is as flat as a billiard table.... If you will look at the growth in the City of Lodi, it has been very steady and there has been no wild growth."

Unfortunately the facts are contrary. Table I shows the GROWTH OF THE CITY IN ACRES PER YEAR from 1914 until the enactment of Measure A by the people in 1981.

TABLE I

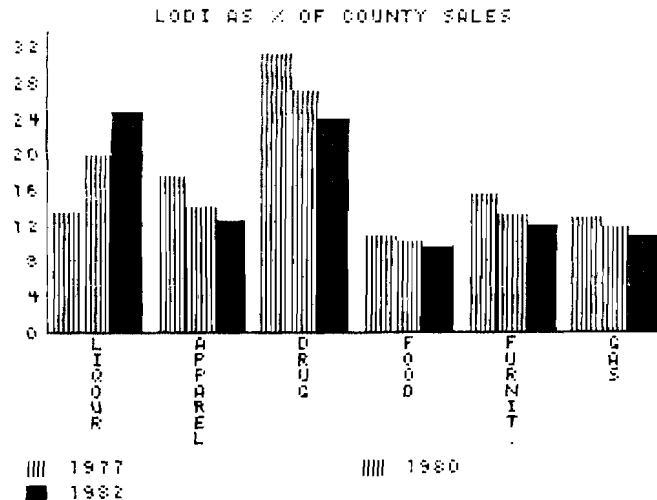


As can be readily seen, Lodi's rate of annexation under Mr. Pinkerton and Mr. Murphy was out of control prior to Measure A.

At the same candidate forum, Mr. Murphy argued that the high rate of annexation would mean economic growth.

Unfortunately, the facts are contrary. Table II shows that from 1977 through 1982 (the latest data available) LODI LOST GROUND in almost every area of RETAIL SALES when compared with the rest of the County.

TABLE II



Thus during the period of the largest annexations, all supported by Mr. Pinkerton and Mr. Murphy, Lodi's RETAIL ECONOMY was losing its VITALITY. The one startling exception, of course, was retail liquor sales!

Mr. Pinkerton and Mr. Murphy argue that we cannot attract new jobs to Lodi because our housing prices are too high! And so, they support HIGH DENSITY HOUSING to bring down property values.

Unfortunately the facts are contrary. Table III below shows the median sales price for housing in Lodi as compared with the price for housing in California, Sacramento and the United States as a whole.

TABLE III

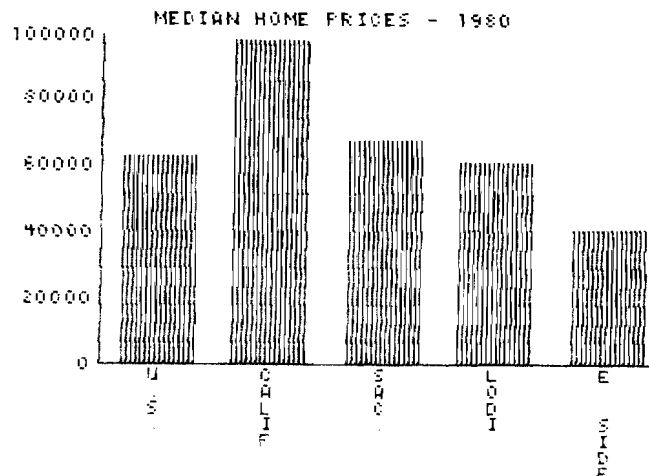


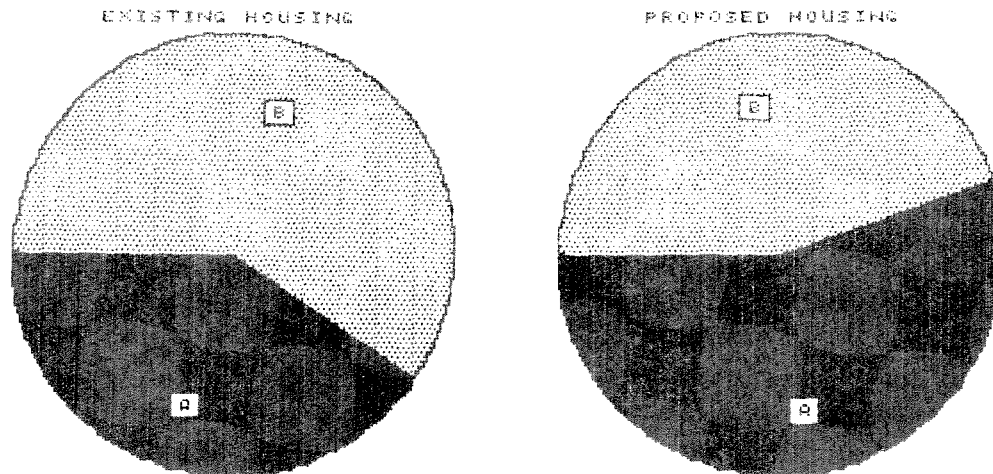
Table III also shows how City planning policies have impoverished our East Side.

Clearly, Lodi's housing prices are not keeping industry away!

But, nonetheless, Mr. Pinkerton and Mr. Murphy continue to support planning policies that will permanently CHANGE THE FACE OF LODI for the worse.

Table IV below shows the percentage of multifamily, rental housing in the City as of the last census and compares it with the make-up of units which were "proposed or approved" by our Planning Department as of their last compilation in May, 1982. It shows the preference of Mr. Pinkerton and Mr. Murphy for HIGH DENSITY rental housing.

TABLE IV



(A) Multifamily Rental Housing (B) Single Family Homeownership

And even this understates the trend because the "planned" units are often changed at the last minute by the Council and ALWAYS toward more multifamily, HIGH DENSITY rental housing.

The Noma Ranch project is an example of such an approach. The Council NEEDLESSLY agreed to a change in zoning (not even recommended by their own Planning Commission) to allow 41 units on 2.3 acres, almost 18 units to the acre --TRULY HIGH DENSITY.

Mr. Pinkerton in fact, told one forum: "If we can't build out, we'll build up!" Can you imagine such a view?

I oppose these policies!

If elected, I would:

A) REBUILD PROPERTY VALUES in Lodi by stopping expansion of multifamily rental housing in the midst of single family areas;

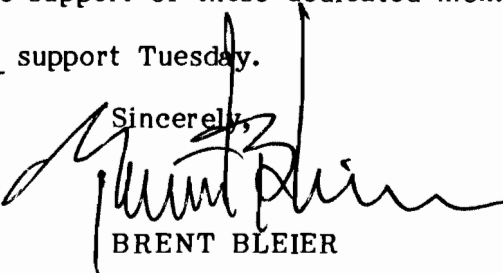
B) STOP HIGH DENSITY housing in Lodi and replace it with single family homeownership housing;

C) REVITALIZE OUR DOWNTOWN using a greater share of existing taxes (not new taxes supported by Mr. Pinkerton and Mr. Murphy for their beautification project) to bring a new major store to downtown Lodi in a public-private partnership.

The facts show that Lodi needs FRESH IDEAS AND TRADITIONAL VALUES. I believe my experience in the representation of other cities can benefit Lodi.

Two impartial groups, our firemen and our policemen, have examined and evaluated all the candidates. Each has ENDORSED MY CANDIDACY and NO OTHERS! I am pleased and gratified to have the support of these dedicated men.

I hope I can also count on your support Tuesday.

Sincerely,

BRENT BLEIER

P.S. The data for Tables I, II and IV comes from City Planning Department materials. The data for Table III comes from City Planning Department materials and the national, state and Sacramento Association of Realtors. The computer tabulations of the data were constructed by my son, Bradford A. Bleier.

ADVISORY CAMPAIGN COMMITTEE
(Partial List)

Cecil Church	Leta L. Wahl	Ginny Oddo	Tim Weaver	Evelyn Sagert
Carol Hillman	Thelma Thornesberry	Gladys Peterson	Steven H. Morrison	Nancy Baum
Wilma Vander Hamm	Marian Sheppard	Robert R. Postier	Marilyn Webb	Clifford Geddes
Bryann Lines	Edmund A. Harris	David Saylor	Christina Perman	Gerald Hanning
Dale Prohaska	Albert Krueg	Frank Schultz	Richard Turner	Phoebe Bergthold
Wiley Woodrome	Sue P. McKindley	Charles Springer	Elias Tavarez	Esther Cobarrubio
Glenn Keffer	Larry Hood	Ken Wiebe	Duane M. Linstrom	Arlene Gries
Dorothy I. Hayes	Ellen Vilhauer	Eddie Richter	Ron Sagert	Debra Horst
Ellen E. Edwards	Mary Max	Connie Simpfenderfer	James Baum	Hazel M. Moore
Chet Seapy	Bertha Brown	Ross Schmiedt	Earnest Bergthold	Lynn Mulford
Fred Burzloff	Jean Geddes	Donna Platt	Carol J. Bowling	Gretchen Nelson
Brad Nathan	Susan Hanning	Dorothy Thompson	Lois Brown	Nicholas Oddo
George Chen	Vella Burzloff	James Huffman	Adam Cobarrubio	Kathy Saylor
Joe Dwyer	Irma Chen	Erlin Jimenez	Howard Ferguson	Debbie Hanning
Jim Mize	Dee Dwyer	Manuel Ferriera	Curt Gries	Jeri Springer
Kathy Lyons	Ruth Mize	Edward Wild	Jerry Horst	Donna Wiebe
Mike Antonovich	Carl Lyons	Dennis Cunningham	Amy Lucas	Duane Simpfenderfer
Bob & Bonnie Mayer	Sharon Antonovich	Robert Jackson	A.J. Manolakakis	Susan Schmiedt
Donald Linn	Coba Linn	Vicky Helwig	Milton B. Moore	Alan Platt
Stanley Mall	Kathleen Mall	Richard Hillman	Lee Mulford	Scott Thompson
Otto H. Sandmeier	Barbara Tavarez	JoAnn Seapy	Robert Nelson	Paula Huffman
Kathy Hanning	Margaret H. Saylor	Laura Wild	Patsy Jackson	Gary Helwig
Karen Woodrome	Julia Ferriera	Janet Cunningham		

State of California



Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance	• •	Administration	• •	Executive/Legal	• •	Enforcement
(916) 322-5662		322-5660		322-5901		322-6441

May 4, 1984

Alice M. Reimche
City Clerk
P.O. Box 320
Lodi, CA 95241

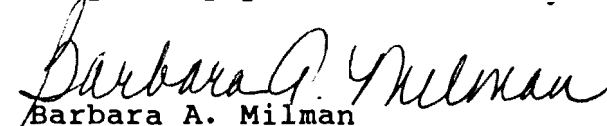
Re: A-84-106

Dear Ms. Reimche:

Your letter requesting advice under the Political Reform Act has been referred to Robert E. Leidigh, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,


Barbara A. Milman
General Counsel

BAM:plh